



MINUTES OF THE REGULAR BOARD OF ALDERMEN MEETING
OF MONDAY, AUGUST 5, 2013
AT 200 HIGHLANDS BOULEVARD DRIVE

1. CALL TO ORDER

Mayor David L. Willson called the Regular Board of Aldermen meeting to order at 7:00 p.m.

Scouts from Boy Scout Troop 631 performed the Flag Ceremony and led the Pledge of Allegiance.

2. ROLL CALL AND STATEMENT OF QUORUM

Roll call showed those present were: Alderman Clement, Alderman Stevens, Alderman Hamill, Alderman Ottenad, Alderman Schrader, Alderman Diehl, Mayor Willson and Attorney Gunn. A quorum was present.

3. APPROVAL OF THE MINUTES

a. Minutes of the July 15, 2013 Regular Board of Aldermen meeting

Alderman Hamill made a motion to approve the Minutes of the July 15, 2013 Regular Board of Aldermen meeting. The motion was seconded by Alderman Schrader and carried unanimously, without objection.

4. ESTABLISHMENT OF ORDER OF ITEMS ON THE AGENDA

Alderman Clement made the motion to approve the Order of Items on the Agenda. The motion was seconded by Alderman Ottenad and carried unanimously, without objection.

5. CONSIDERATION OF PETITIONS AND COMMENTS FROM THE PUBLIC

a. Comments from the Public

Ms. Pauline Bair, 305 Morewood Drive, asked if there are any new lawsuits, and in response, City Attorney Gunn answered that there are no new lawsuits.

Mr. Lee Presser, 1140 Big Bend Station, a trustee of Big Bend Station Subdivision, discussed indentures and restrictions for his subdivision. He discussed a fence that was erected in the subdivision that he says should not have been put up. He asked the City of Manchester to enforce their subdivision indentures.

City Attorney Gunn advised that enforcing Subdivision Indentures is beyond the City's authority granted by the State. He stated that the City must enforce its Ordinances not private contracts between individuals.

Alderman Hamill stated that he is a subdivision trustee, and his subdivision has to deal with these problems all the time. He said enforcement of subdivision indentures is not a City issue, it is for the subdivision trustees to handle; they hire a lawyer and take care of it. He said the City would go bankrupt if the City were to enforce all subdivision indentures every time someone had a complaint.

Alderman Clement asked if it was possible that the applicant could be asked by City staff if they have received the approval of the trustees.

City Attorney Gunn answered that the answer would not be important, because if the property owners are entitled to a permit under the City's Ordinances they are going to be able to get a permit, or the City could be sued. This is a private matter.

Mr. Paul Listenberger, 602 Nandale, said he is an owner of a growing food truck business, and he needs a place to park his \$80,000 vehicle. He said he has asked everyone on his street if they would mind him parking his truck at his house and no one has a problem with it. He asked the members of the Board of Aldermen to support him and figure out a way to change the Code.

Mr. James Bottorff, 580 Larksmore Court, thanked the City for trimming all the trees in the neighborhood; he said they look beautiful.

6. REPORTS FROM THE MAYOR

a. Mayoral Report

Mayor Willson reported on July 16, there was a meeting with the Missouri Department of Transportation (MoDOT) to discuss issues regarding Highway 141 and the re-surfacing of Manchester Road.

On July 18, Mayor Willson, along with City Administrator Hixson, attended the City Clerks luncheon meeting which was organized by City Clerk Ruth Baker and hosted by Manchester. He said there were 44 City Clerks in attendance.

Mayor Willson reported on July 19, he attended a breakfast at the St. Louis Community College in Wildwood. Later that day he, along with City Staff, attended the “Hot Dog Day” event at Lafayette Industries.

On August 1, Mayor Willson attended the Senior Staff meeting.

Mayor Willson announced on August 2, even though it rained, the City of Manchester put on the “Concert in the Park”. He said it was one of the best concerts in the Park.

Mayor Willson announced that tomorrow night is “National Night Out”. He said there are two subdivisions having the event, and there will also be ice cream at the Police Facility. Chief Walsh advised that usually on the day of the event, he gets a number of calls about “National Night Out” events.

7. REPORTS FROM THE CITY ADMINISTRATOR

a. List of Paid Bills (Warrant dates of July 14 – August 3, 2013)

There were no questions.

b. Confidential document shredding event

Public Works Director Bob Ruck stated that the City will be holding their second document shredding event in October 12 from 8:00 a.m. to 11:00 a.m. at Schroeder Park. He said this is for residents only, and residents should bring a utility bill to establish residency. He also asked that residents bring a can of food which will be donated to the Circle of Concern.

8. REPORTS FROM COMMITTEES

a. Planning and Zoning Commission

Alderman Clement advised that they have not met recently, and will not be having a meeting next week because of lack of an agenda.

b. Historic Review Commission

Alderman Diehl advised that the Historic Review Commission did meet on July 29. They discussed a local landmark registry; they are trying to develop buildings that are considered historic and are outside the planned business district. They have decided that if a building already has a plaque on it saying it is historic, then it is considered by Manchester’s local registry as historic. He stated that the Commission’s next meeting is on August 19 at 5:30 p.m.

c. Homecoming Committee

Alderman Ottenad advised that there has not been a meeting, but there will be a meeting on August 14 at 6:30 p.m. at the Legion Hall.

d. Manchester Arts Council

Alderman Stevens advised that there will be a Manchester Arts Council meeting tomorrow evening at 7:00 p.m. She said that she thinks there is an interest swirling around outside Manchester dealing with Manchester Arts. There are inquires coming in. During Homecoming at Schroeder Park, there will be a band concert, and a variety of artists doing artwork while the music is playing. There will be a scope of music that will be of interest to everyone. There will be phenomenal entertainment for free.

9. ACTION ON OLD BILLS

- a. There were none.

10. INTRODUCTION OF NEW BILLS

- a. RESOLUTION AUTHORIZING BID ACCEPTANCE FOR STREET PAINT STRIPING

Alderman Ottenad read Proposed Resolution # 13-0454, entitled: "A RESOLUTION ACCEPTING THE BID OF AMERICA'S PARKING REMARKING, INC. IN AN AMOUNT NOT TO EXCEED TWENTY-ONE THOUSAND SIXTY-TWO DOLLARS AND EIGHTY-CENTS (\$21,062.80) FOR STREET PAINT STRIPING SERVICES FOR 2013, AND AUTHORIZING THE CITY OF MANCHESTER TO ENTER INTO AN AGREEMENT THEREFOR", by title only.

Alderman Ottenad asked if in regard to the option for the next three years if the City will be checking if there are other companies doing the same work.

Director of Public Works Bob Ruck answered that the City will be checking, but currently there are no other competing companies for this service in the metropolitan area. He said that even though the company knew they would be the only bidder, their increase over last year's contract was less than three percent. They have been a very good company and have been working with us for ten years.

Alderman Ottenad made the motion for approval of Resolution # 13-0454. The motion was seconded by Alderman Clement and carried unanimously, without objection.

- b. BILL AMENDING THE CODE OF ORDINANCES IN REGARD TO THE MISUSE OF 9-1-1

Alderman Hamill introduced Bill # 13-2172, entitled: "AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MANCHESTER BY ADDING THERETO A NEW SECTION 210.730 RELATING TO THE MISUSE OF 911", by title only.

Alderman Hamill asked if Chief Walsh would update everyone on why this is being considered.

Chief of Police Timothy Walsh stated that occasionally we have incidents where people call 911 for less than legitimate emergency reasons and tie up the lines. He said that recently they had an incident where a gentleman kept calling and calling over and over for a long period of time and the lines were tied up.

Alderman Ottenad asked if people do this as a joke, or if they feel it was a problem and that they needed to keep trying.

Chief Walsh answered it was intentional; it was not a joke to this person. He believed the person was inebriated. The gentleman called 32 times.

Alderman Stevens asked what type of action would be taken if this was to occur again.

Chief Walsh answered they would locate the person, and depending on the circumstances involved, if there needed to be either a summons or an arrest.

No further action at this time.

11. MISCELLANEOUS

a. Comments from the Public

There were none.

12. EXECUTIVE SESSIONS:

a. Closed Session: Pursuant to Section 610.021 (1) of the Revised Statutes of the State of Missouri pertaining to legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communication between a public governmental body or its representatives and its attorneys.

Alderman Hamill made the motion to go into Closed Session: Pursuant to Section 610.021 (1) of the Revised Statutes of the State of Missouri pertaining to legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communication between a public governmental body or its representatives and its attorneys. The motion was seconded by Alderman Clement.

A poll of the Board showed:

Alderman Clement - aye
Alderman Stevens - aye
Alderman Hamill - aye
Alderman Diehl - aye

Alderman Schrader - aye
Alderman Ottenad - aye

Mayor Willson announced the vote passed with a vote of 6 to 0.

b. Closed Session: Pursuant to Section 610.021 (3) of the Revised Statutes of the State of Missouri pertaining to the hiring, firing, disciplining or promoting of particular employees by a public governmental body when personal information about the employee is discussed or recorded.

Alderman Hamill made the motion to go into Closed Session: Pursuant to Section 610.021 (3) of the Revised Statutes of the State of Missouri pertaining to the hiring, firing, disciplining or promoting of particular employees by a public governmental body when personal information about the employee is discussed or recorded. The motion was seconded by Alderman Clement.

A poll of the Board showed:

Alderman Stevens - aye
Alderman Hamill - aye
Alderman Diehl - aye
Alderman Schrader - aye
Alderman Ottenad - aye
Alderman Clement - aye

Mayor Willson announced the vote passed by a vote of 6 to 0.

12. ADJOURNMENT

At 8:46 p.m., after the Executive Sessions, there being no further business, Alderman Hamill made the motion to adjourn. The motion was seconded by Alderman Schrader and carried unanimously, without objection. The meeting adjourned at 8:46 p.m.

Respectfully submitted,

Ruth E. Baker, CMC/MRCC
City Clerk

***Note:** This is a journal of the Board of Aldermen meeting held August 5, 2013 (summary); not a verbatim transcript. If a recording of the meeting is desired, please contact City Hall.*